

DISSENTING VIEWS

We oppose H.R. 3667 in its current form and are perplexed as to why regular order in the Natural Resources Committee has become an extinct priority. Despite Chairman Rahall's assurances that the Committee on Natural Resources would return to regular order, the Subcommittee on National Parks, Forests, and Public Lands has again been subverted. The legislative hearing on H.R. 3667 was held just six days before the full committee markup. Needless to say, no time remained for Chairman Grijalva's subcommittee to carefully consider the legislation, have a subcommittee markup, or even review the legislative hearing transcript. If this legislation is "just a study" as the Majority proclaims, then there is no reason for the fervent dismissal of regular order shown by ramming this bill through full committee.

H.R. 3667 puts into motion yet another Wild and Scenic River. This time environmentalists have set their sights on two rivers in Vermont. While no risk to the river was identified in the subcommittee legislative hearing, the Majority has seen fit to use federal law to impose zoning regulations. These studies, such as the one proposed in H.R. 3667, are marketed as a way to determine whether or not a river has the necessary characteristics to be designated as a Wild and Scenic River. Unfortunately, we have found that the Park Service can interpret any river as having these characteristics merely because the water is "free flowing." Consequently, what these studies amount to are federally subsidized congregations where environmentalist and zoning officials sit down and plot property restrictions cloaked as "riparian setbacks."

The subcommittee witness on this bill identified the desire to continue family farming along the river as a purpose of the eventual designation. Our concern is that these family farmers may not actually know the details of what this federal zoning designation will include and their livelihood will fall victim to impractical restrictions.

An amendment offered by Congressman Bishop of Utah would have required the National Park Service to obtain written consent from property owners to have their land included in the study. This should be a minimal requirement in any study preceding a designation. This presents little if any additional administrative effort by the National Park Service as they are required to study the impacts of the designation of private property. Certainly if the National Park Service actually conducts an on the ground/water study of the river, as opposed to handing off the duty to local environmentalists, they are well positioned to contact each land owner along the river. Consistent with their antipathy for property rights and appetite for a proliferating federal estate, Democrats rejected this commonsense amendment.

Time and time again we have found that these seemingly innocuous designations are damaging to private property and that boundaries always have consequences. It is past time to stop drawing boundaries around Americans and sticking them with the fallout.

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